

STATE OF VERMONT  
HUMAN SERVICES BOARD

In re	)	Fair Hearing No. 20,370
	)	
Appeal of	)	

INTRODUCTION

The petitioner appealed a decision of the Department for Children and Families, Health Access Eligibility Unit (HEAU) closing his Vermont Health Access Program (VHAP) benefits. The issue is whether the petitioner's income exceeds the program maximum.

FINDINGS OF FACT

1. The petitioner initially qualified for VHAP benefits as a single person. The petitioner has since married and lives with his wife. Both petitioner and his wife are employed. Petitioner's wife is covered through her employer for health benefits.

2. At the hearing held on July 26, 2006, the petitioner did not dispute the Department's determination that his countable income was \$2,541.60 per month, which is in excess of the VHAP maximum of \$1,657.00 per month for a two person household without minor children.

3. The petitioner was advised to immediately reapply for VHAP if his household's income falls beneath the above monthly program maximum and petitioner was referred to the Healthy for Vermonters Program.

ORDER

The Department's decision is affirmed.

REASONS

Under the VHAP regulations, all earned income, except for a \$90.00 disregard is included as countable income for eligibility. W.A.M. \$ 4001.81(c) and (e). There is no dispute that as of the date of recommending closure of his VHAP eligibility and hearing that the petitioner had countable income in excess of the maximum for eligibility under the VHAP program for a two person household without minor children which is \$1,657.00. P-2420B. In conclusion, the Department's finding that petitioner is ineligible for VHAP based on a change in his countable income must be affirmed. 3 V.S.A. § 3091(d), Fair Hearing Rule No. 17.

###